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C O N F I D E N T I A L SECTION 01 OF 03 HARARE 000959

SIPDIS

AF/S FOR B.WALCH
DRL FOR N. WILETT
ADDIS ABABA FOR USAU
ADDIS ABABA FOR ACSS
STATE PASS TO USAID FOR E. LOKEN AND L. DOBBINS
STATE PASS TO NSC FOR SENIOR AFRICA DIRECTOR B. PITTMAN

E.O. 12958: DECL: 10/23/2018
TAGS: [PGOV](#) [PREL](#) [ASEC](#) [PHUM](#) [ZI](#)
SUBJECT: BITI: AGREEMENT IS DOOMED

Classified By: Ambassador James D. McGee for reason 1.4 (d)

SUMMARY

11. (C) The MDC will attend the SADC Troika meeting on October 27 in Harare, according to MDC secretary-general and negotiator Tendai Biti. Because the MDC believes mediator Thabo Mbeki has sided with ZANU-PF on critical issues, it will push for full SADC and AU involvement, and ultimately UN assistance. Regardless, Biti believes a ZANU-PF--MDC agreement is doomed to failure; either the parties will fail to conclude the allocation of positions or, if an agreement is concluded, it will prove unworkable. END SUMMARY.

MDC Questions Mbeki's Impartiality

12. (C) In an October 22 conversation with pol/econ chief and visiting INR analyst, Biti questioned Mbeki's impartiality and ability to continue to function as a mediator. He referred to a document prepared by Mbeki and presented to the parties on October 17 which, he averred, adopted the ZANU-PF position on the allocation of ministries. This document, leaked to the media and now available on the Internet, awards finance to the MDC and splits home affairs between the two parties. It is silent as to defense, information, and justice, but in general "commends the current allocation of Ministerial Posts." Biti told us that Mbeki in the document had accepted ZANU-PF's position that it should head these key ministries.

13. (C) Biti provided us a copy of a document he had prepared on behalf of the MDC, and in response to the Mbeki document, to be given to SADC. In his document, Biti criticizes Mbeki for adopting ZANU-PF's position in the allocation of ministries, for siding with ZANU-PF in negotiations on the relative powers of the president and prime minister, and for failing to stop or condemn Mugabe's appointment of senators

and governors in violation of the September 15 agreement. He concludes: "With the greatest respect to the Facilitator, his role and thinking, as reflected in his document clearly show that he is not ready to assist in resolving the crisis in Zimbabwe. Quite clearly, this issue is now beyond the Facilitator. The guarantors and underwriters of this agreement, SADC and the AU, must be vested with this matter as a matter of urgency."

¶4. (C) Biti concluded his attack on Mbeki by telling us he thought Mbeki had been totally discredited. The MDC would seek full SADC involvement, through a SADC Extraordinary Congress, and AU involvement. Biti was pessimistic, however, that either of these organizations would be effective and he hoped that ultimately the UN would focus on Zimbabwe.

Obstacles to a Workable Government

¶5. (C) Biti said Tsvangirai and the MDC negotiators would meet with the SADC Troika on October 27 in Harare. In addition to allocation of ministries, other important issues were appointment of governors and discrepancies between the document signed on September 15 and the actual agreement. Mugabe had unilaterally appointed the 10 provincial governors; Biti said this should have been done in consultation with the MDC and would have to be rectified. The signed September 15 agreement specified that the president would appoint 5 senators and ZANU-PF, MDC-T, and

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MDC-M would each be allotted three additional senators. But Biti said that the original agreement called for, in addition to ZANU-PF's 5 senators appointed by Mugabe, MDC-T to be given 4 senators and MDC-M to be given 2 senators. ZANU-PF would receive no additional senators. The document discrepancies would also have to be resolved to complete an agreement.

¶6. (C) If an agreement was concluded, the next step, according to Biti, would be to adopt constitutional Amendment 19 to incorporate the agreement. Biti opined that agreement on the amendment would be difficult. Amendment 19 would have to spell out, for example, procedures for the appointments of ambassadors and permanent secretaries. Biti noted that according to the agreement, presidential appointments were to be made "in consultation" with the prime minister, but the agreement did not define "consultations," and Amendment 19 would have to deal with this.

¶7. (C) Beyond agreement on specific issues, Biti said the primary obstacle to a workable power-sharing government was the lack of sincerity on the part of ZANU-PF. He pointed to continuing public statements by ZANU-PF officials attacking the MDC leader Morgan Tsvangirai, the recent crackdown and violence against students and Women of Zimbabwe Arise (WOZA) as they attempted demonstrations, ZANU-PF's unwillingness to compromise in negotiations to arrive at an agreement, and the refusal to give Tsvangirai a passport. ZANU-PF could not bring itself to accept Tsvangirai. They were suspicious of him, and many hated him, because they believed he did not share their liberation war values.

The Road Ahead

¶8. (C) Referring to the ZANU-PF--MDC agreement, Biti concluded "this thing is dead." The only question was when to pronounce it dead--now or after the formation of a government that proved unworkable. Analogizing to the Rhodesia situation, Biti said Ian Smith had not been ready to make necessary concessions in 1978, and Mugabe and ZANU-PF were not ready now. It would be better, he told us, for negotiations to collapse now so that a genuine dialogue could

take place when ZANU-PF was ready to work together with the MDC.

¶9. (C) Biti said ZANU-PF's inflexibility was designed to maintain power and attempt to capture the high ground by impelling the MDC to abandon negotiations. The MDC would not fall into this trap and would continue to negotiate. Recognizing the difficulty of the situation, however, the MDC would begin to press for new, internationally supervised elections under the auspices of the UN.

COMMENT

¶10. (C) The MDC appears divided on the approach to negotiations and a power-sharing government. Tsvangirai, while maintaining a healthy skepticism of ZANU-PF and Mugabe, is in favor of concluding an agreement with certain minimum preconditions that include MDC leadership of the finance and home affairs ministries. He believes that as part of government the MDC can begin to generate changes and take advantage of a divided and weak ZANU-PF. Biti and others are skeptical that, even apart from possible compromises on ministries, ZANU-PF is willing to actually share power in a way that would allow a new government to function. They are therefore seeking to open up the negotiating process to go

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beyond securing home affairs for the MDC as a basis of an agreement. Also, unlike Tsvangirai, Biti does not believe that this agreement is ultimately viable.

¶11. (C) We continue to think it likely there will be an agreement. But given the entrenched interests of Mugabe and ZANU-PF, we share Biti's skepticism that it will work. END COMMENT.

MCGEE